

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

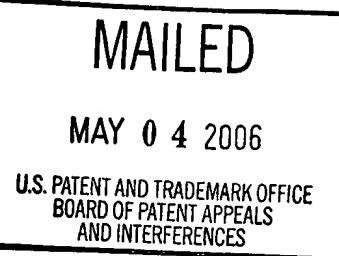
**Ex parte** JEAN-MARC ASCIONE and MICHAEL DE GEORGE

Application No. 09/881,807

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences on April 4, 2006. An in-depth review has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matter requiring attention prior to docketing is identified below:

The Examiner's Answer, mailed September 6, 2005, is non-compliant with the new rules set forth in the **Manual of Patent Examining Procedure (MPEP)** § 1207.02. The following content is missing from the Examiner's Answer in the order and with the context stated in the Rules:



Application No. 09/881,807

Section "**(8) Evidence Relied Upon**," fails to list the relevant references applied in the rejections on appeal.

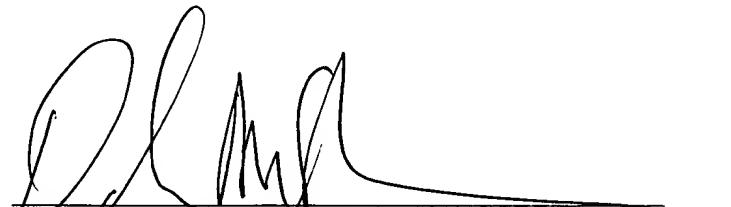
Correction is required pertaining to the headings and content required in the Examiner's Answer.

Accordingly, it is

**ORDERED** that the application is returned to the examiner:

- to submit a revised Examiner's Answer in accordance with the **MPEP** § 1207.02; and
- for such further action as may be appropriate.

BOARD OF PATENT APPEALS  
AND INTERFERENCES



DALE M. SHAW  
Program and Resource Administrator  
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DMS:hh

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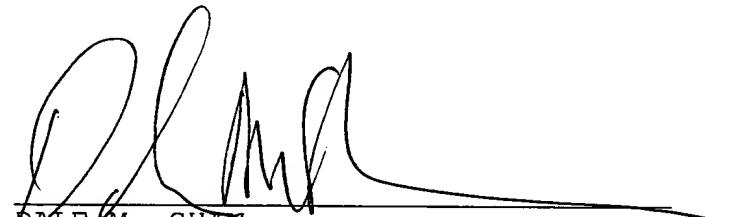
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